IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 498 of 1996

Between:

A.Venugopal Rao, S/o. Radhakrishna Rao,
R/o. Illenda, Wardhannapet Mandal, Warangal District.

..... PETITIONER

AND

1 The Nandanam Farmers Service Cooperative Society Ltd., Nandanam, rep.by its Managing Director
Wardhannapet Village & Mandal Warangal District
2 The Managing Committee, Rep.by its President, the Nandanam Farmers Service Cooperative Society Ltd.Nandanam ,
Wardhannapet Village & Mandal, Warangal District.
3 The District Cooperative Officer, Warangal,
Warangal Dist.
4 Burra Ravinder, S/o. Narsaiah,
R/o. Nandanam, Wardhannapet Mandal,
Warangal Distirct.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, particularly one in the nature of writ of Mandamus, declaring the resolution dt. 30.12.1995 passed by the 2nd respondent in re-instating the 4th respondent in to the service of Nandanam Farmers Service Cooperative Society ltd., as illegal and arbitrary.

Counsel for the Petitioner: MR.A.PRABHAKAR RAO

Counsel for the Respondent No.1: Mrs. R. ANNAPURNA REDDY

Counsel for the Respondent No.2: Mr. D.V. BHADRAM

Counsel for the Respondent No.3: Government Pleader for Co-operation

Counsel for the Respondent No.4: MR.U.VSRINIVASA RAO

The Court made the following :

:ORAL ORDER:

The petitioner, who claims to be a Director of the 1st respondent-Co-operative Society, seeks a declaration that the resolution of the Managing Committee of the 1st respondent-Co-operative Society dated 30-12-1995 re-instating the 4th respondent into service, is illegal. The petitioner has neither pleaded, urged nor demonstrated before this court that the 1st respondent-Co-operative Society is an agency or instrumentality of the State within the meaning of Article 12 of the Constitution of India. The resolutions of the Managing Committee have no public law component. The exercise of power of the Managing Committee of the 1st respondent-Co-operative Society is not the exercise of any statutory power nor do the internal disputes of the 1st respondent-Society warrant scrutiny and adjudication by this Court under Article 226 of the Constitution of India.

In the above circumstances, the writ petition is seen to be patently misconceived and is accordingly dismissed. Needless to state that any other remedies available to the petitioner, in respect of the grievance urged herein, could be pursued in accordance with law. No costs.

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GODA RAGHURAM, J

Dt. 17-08-2004

Pvks/*

To

1 The Managing Director, the Nandanam Farmers Service Cooperative Society Ltd., Nandanam, Wardhannapet Village & Mandal Warangal District
2 The President, Managing Committee of the Nandanam Farmers Service Cooperative Society Ltd. Nandanam , Wardhannapet Village & Mandal, Warangal District.
3. The District Cooperative Officer, Warangal, Warangal Dist.

4.2CCs to the Government Pleader for Co-operation, A.P. High Court Buildings, Hyderabad (OPUC)..

5.2CD copies.